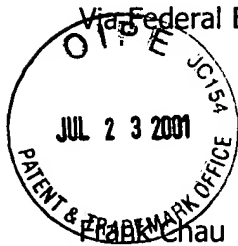


09,363,523

#102823
7/28/01
M.H

SIEMENS

Via Federal Express



July 17, 2001

Frank Chau

F. Chau and Associates LLP
1900 Hempstead Turnpike
Suite 501
East Meadow, NY 11554

Re: U.S. Patent Application of JAMMY et al for
METHOD FOR FORMING CRYSTALLINE SILICON NITRIDE . . .
Our File: 99 P 7722 US
Your File: 8706-297

RECEIVED
JUL 27 2001
TC 2800 MAIL ROOM

Dear Frank:

Enclosed is a copy of an **Advisory** Office Action mailed June 21, 2001 for the above-identified patent application, together with its attachments. Please contact me to discuss.

Sincerely,

Donald B. Paschburg / hr
Donald B. Paschburg

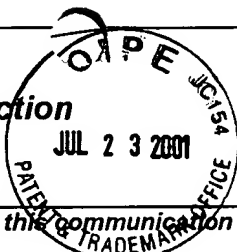
DBP/vr
Enclosures

Siemens Corporation

Intellectual
Property Department

186 Wood Avenue South
Iselin, NJ 08830

Tel: (732) 321-3100
Fax: (732) 321-3030
Fax: (732) 321-3014

Advisory Action

Application No.

09/363,523

Examiner

Michelle Estrada

Applicant(s)

JAMMY ET AL.

Art Unit

2823

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 11 June 2001 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check only a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ In view of the early submission of the proposed reply (within two months as set forth in MPEP § 706.07 (f)), the period for reply expires on the mailing date of this Advisory Action, OR continues to run from the mailing date of the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will be entered upon the timely submission of a Notice of Appeal and Appeal Brief with requisite fees.
3. ☒ The proposed amendment(s) will not be entered because:
- (a) ☒ they raise new issues that would require further consideration and/or search. (see NOTE below);
 - (b) ☐ they raise the issue of new matter. (see Note below);
 - (c) ☒ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: See Continuation Sheet.

4. ☐ Applicant's reply has overcome the following rejection(s): _____.
5. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
6. ☐ The a) ☐ affidavit, b) ☐ exhibit, or c) ☐ request for reconsideration has been considered but does NOT place the application in condition for allowance because: _____.
7. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
8. ☒ For purposes of Appeal, the status of the claim(s) is as follows (see attached written explanation, if any):
- Claim(s) allowed: none.
- Claim(s) objected to: none.
- Claim(s) rejected: 1-8,10-16 and 21-28.
- Claim(s) withdrawn from consideration: none.
9. ☐ The proposed drawing correction filed on _____ a) ☐ has b) ☐ has not been approved by the Examiner.
10. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
11. ☐ Other:

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Continuation of 3. NOTE: Upon cursory review, the proposed amendment to claims 1, 10 and 21 and the arguments in the amendment filed 06/11/01 do not clearly place the case in condition for allowance. Applicant's arguments rely on the proposed amendment which has not been entered..

George Fourson
Primary Examiner

2823



UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

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|-----------------|-------------|----------------------|---------------------|
| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. |
|-----------------|-------------|----------------------|---------------------|

09/363,523

07/29/99

JAMMY

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99-P-7722-US

MM91/0621

SIEMENS CORPORATION
INTELLECTUAL PROPERTY DEPARTMENT
186 WOOD AVENUE SOUTH
ISELIN NJ 08830

EXAMINER

ESTRADA, M

ART UNIT

PAPER NUMBER

2823

DATE MAILED:

06/21/01

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JUN 25 2001

INTELLECTUAL PROPERTY
DEPARTMENT

Please find below and/or attached an Office communication concerning this application or proceeding.

| |
|---|
| INTELLECTUAL PROPERTY REC'D. _____ IPD 99P7722US DUE DATE 10-10-01 |
|---|

Commissioner of Patents and Trademarks

Final O/A - 4-10-01
Response - 6-7-01
Final - 10-10-01